

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA

v.

LYNWOOD T. DAVIS,
Defendant

Criminal No.: 05-168(Cr)

Trial Date: September 27, 2005

**DEFENDANT'S PROPOSED VOIR DIRE QUESTIONS
AND JURY INSTRUCTIONS**

COMES NOW, the defendant, Lynwood T. Davis, by and through counsel Charles F. Daum, who respectfully submits his Proposed Voir Dire Questions and Jury Instructions.

I PROPOSED VOIR DIRE QUESTIONS

1. Is any member of the panel now or previously have been a member of a neighborhood watch committee?
2. Does any member of the panel have such strong views about gun control that it would affect your ability to sit as a fair and impartial member of the jury?

II PROPOSED JURY INSTRUCTIONS

The following proposed Jury Instructions are taken from the Criminal Jury Instructions for The District of Columbia.

Instruction 1.04 Definitions – Stipulations

Instruction 1.07 Question Not Evidence

Instruction 1.08 Expert Testimony

Instruction 1.10 Evaluation of Prior Inconsistent Statement of a Witness

Instruction 1.11	Evaluation of Prior Consistent Statement of a Witness
Instruction 2.01	Function of the Court
Instruction 2.02	Function of the Jury
Instruction 2.03	Jury's Recollection Controls
Instruction 2.04	Evidence in the Case – Judicial Notice, Stipulations, Depositions
Instruction 2.05	Statements of Counsel
Instruction 2.06	Indictment or Information Not Evidence
Instruction 2.07	Inadmissible and Stricken Evidence
Instruction 2.08	Burden of Proof – Presumption of Innocence
Instruction 2.09	Reasonable Doubt
Instruction 2.10	Direct and Circumstantial Evidence
Instruction 2.11	Credibility of Witnesses
Instruction 2.13	Number of Witnesses
Instruction 2.14	Nature of Charges Not to be Considered
Instruction 2.26	Police Officer's Testimony
Instruction 2.27	Right of Defendant Not to Testify
Instruction 2.52	Multiple Counts One Defendant
Instruction 2.71	Selection of Foreperson
Instruction 2.72	Unanimity
Instruction 2.73	Exhibits During Deliberations
Instruction 2.74	Possible Punishment Not Relevant
Instruction 2.75	Communications Between Court and Jury During Jury's Deliberations
2.75 a.	Admonition to Jury Concerning a Poll

Instruction 3.01	Intent
Instruction 3.02	Proof of State of Mind
Instruction 3.03	Knowingly
Instruction 3.08	Possession Defined
Instruction 4.29	Possession of a Controlled Substance with Intent to Distribute
Instruction 4.76	Federal Firearms Act
Instruction 5.06	Identification

Respectfully Submitted,

Charles F. Daum
736 5th Street NE
Washington, DC 20002
DC Bar #952481
(202) 546-8886